

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

THE ESTATE OF MARY VANOVER, et al.,

Plaintiffs,

v.

Civil Action No. 2:12-cv-00005

GENESIS HEALTHCARE CORPORATION,

Defendant.

JOINT MOTION FOR HEARING ON PETITION FOR PERMISSION  
AND AUTHORITY TO COMPROMISE AND SETTLE ALL CLAIMS

Comes now the parties, by counsel, and jointly move the Court for a hearing on the plaintiffs' petition for permission and authority to compromise and settle all claims and proposed order. (attached hereto as Exhibit 1.)

The parties, having reached a settlement agreement at mediation for a confidential sum hereby requests the Court set a hearing to approve the settlement of *The Estate of Mary Vanover v. Genesis Healthcare Corporation*, Civil Action No. 2:12-cv-0005. The parties request taking into consideration that the Medicare subrogation lien of Twenty-Three Thousand, One-Hundred, Seventy-Seven Dollars and Ninety-Eight Cents (\$23,177.98) must be repaid in full by December 30, 2012, to avoid interest accumulation when scheduling.

For the foregoing reasons, the plaintiffs request that the Court set a hearing on the petition for permission and authority to compromise and settle all claims regarding the above styled case and grant all other relief it deems just and appropriate.

SUBMITTED BY:

**/s/ Charles M. Love, IV**

Marvin W. Masters, Esquire  
West Virginia State Bar No. 2359  
Charles M. Love, IV, Esquire  
West Virginia State Bar No. 7477  
The Masters Law Firm lc  
181 Summers Street  
Charleston, West Virginia 25301  
(304) 342-3106  
Counsel for Plaintiff

**/s/ Jennifer A. Hill**

Jace A. Goins , Esquire  
West Virginia State Bar No. 6894  
Jennifer A. Hill, Esquire  
West Virginia State Bar No. 9326  
Steptoe & Johnson PLLC  
Chase Tower, Eighth Floor  
Post Office Box 1588  
Charleston, West Virginia 25326  
Counsel for Defendant  
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**CERTIFICATE OF SERVICE**

I, Charles M. Love, IV, counsel for plaintiff, do hereby certify that I electronically filed "Joint Motion for Hearing on Petition for Permission and Authority to Compromise and Settle All Claims" with the Clerk of the Court using the CM/ECF system and I hereby certify that a true and exact copy of "Joint Motion for Hearing on Petition for Permission and Authority to Compromise and Settle All Claims" was served upon:

Jennifer Anderson Hill, Esquire  
West Virginia State Bar No. 9326  
Steptoe & Johnson PLLC  
Post Office Box 1588  
Charleston, West Virginia 25326-1588

via electronic filing this 9th day of November, 2012.

**/s/Charles M. Love, IV**

Charles M. Love, IV  
West Virginia State Bar No. 7477  
The Masters Law Firm lc  
181 Summers Street  
Charleston, West Virginia 25301  
(304) 342-3106  
(304) 342-3189 (fax)  
cml@themasterslawfirm.com  
Counsel for Plaintiff